THE HON'BLE SRI JUSTICE C.V. RAMULU

Monday, 10th day of July,2006

W.P.Nos.10865 and 32127 of 1998

W.P.No.10865 of 1998

Between :

A. Sanjeeva Reddy & others … Petitioners

and

The Secretary to Government,
Irrigation & CAD (Irrigation-IV)
Department, Secretariat, Hyderabad & others … Respondents

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COMMON ORDER:

These two Writ Petitions are filed challenging G.O.Ms.No.141, Irrigation & Command Area Development (Irrigation-IV) Department, dated 22-9-1997 and G.O.Ms.No.294, Irrigation & Command Area Development (Irrigation-IV.1) Department, dated 21-8-1998.

The first G.O. i.e. G.O.Ms.No.141, dated 22-9-1997 was issued allotting land belonging to Irrigation Department to the respondent-Siddipet Municipality for the purpose of constructing Municipal Office building, fixing the market value at Rs.100/- per square yard. After persuasion, it seems, the Government by the second G.O. i.e. G.O.Ms.No.294, dated 21-8-1998 allotted the land free of cost. The Writ Petitions are filed by Water Users' Association and A.P. Irrigation Employees Union. It is their contention that the land belonging to the Irrigation Department should not have been allotted to Siddipet Municipality and Siddipet Municipality has got lot of land elsewhere and the said allotment is nothing but misuse and abuse of the power.

A detailed counter affidavit has been filed by the 1st respondent in Writ Petition No.10865 of 1998 denying the allegations made by the petitioners. It is asserted that the petitioners have not substantiated their grievance as to how they are aggrieved by the action of the Government in having issued the G.Os and as such, the Writ Petitions

are deserve to be rejected outright. Petitioners have misconceived notion about the issuance of the G.Os stating that the subject minor Irrigation is not concerned with the Minister for Major and Medium Irrigation.

Be that as it may, petitioners' counsel, on questioning, could not bring to the notice of the Court any of the provisions of law, which are infringed while issuing the impugned G.Os. or how the Water Users' Association or the A.P. Irrigation Employees Union is entitled to protect the lands of the Government. The land is not allotted for the purpose of house sites or to a private individual or for the purpose of establishment of an industry. One Department of the Government has allotted the land to the other Department for the purpose of construction of office building. Absolutely, the petitioners have no interest whatsoever. The Writ Petitions are misconceived and are liable to be dismissed.

Accordingly, the Writ Petitions are dismissed. No order as to costs.

10-7-2006

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